



Town of Groton, Connecticut

Meeting Agenda

Town Council

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk 860-441-6640
Town Manager 860-441-6630

Mayor Heather Bond Somers, Councilors Dean G. Antipas, Bruce S. Flax, Bill Johnson, Deborah L. Peruzzotti, Rita M. Schmidt, James L. Streeter, and Harry A. Watson

Tuesday, August 07, 2012

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

Recess for Public Hearing on:

2012-0208 Sandy Hollow Road Resurfacing

Referral

IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

This is the portion of the Council Agenda where the Council welcomes comments from citizens. Each presentation should be limited to five (5) minutes or less, and citizens should, if possible, submit written comments. Presentations should be related to matters pertinent to Groton. Town Councilors will only ask questions in order to clarify the speaker's presentation and can respond during the Responses to Citizens' Petitions portion of the Town Council meeting. Citizens should make their presentations from the lectern and state their names and addresses for the record.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

VI. CONSENT CALENDAR

All matters listed under Item VI (Consent Calendar) are considered to be routine and will be enacted by one motion. No separate discussion of these items will take place, unless cause is shown prior to the time Council votes on the motion to adopt.

a. Approval of Minutes

2012-0233 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meetings of July 10, 2012 and July 17, 2012 are hereby accepted and approved.

b. Administrative Items

2012-0232 Special Trust Fund Contributions

Resolution - Consent

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

Robert and Phyllis Boggs - \$8.65 - Groton Utilities Energy Assistance Program

Mary Dickson - \$10.00 - Groton Utilities Energy Assistance Program

Joan Feeney - \$50.00 - Groton Utilities Energy Assistance Program

Susan Decorte McMillan - \$500.00 - Parks and Recreation Revolving

c. Deletions from the Town Council Referral List

2011-0237 Community Wide Fire Protection Analysis

Referral

2012-0177	Fire District Consolidation	Referral
2012-0212	Mystic Arts Center Parking Lot Agreement - Update	Referral
2012-0230	Burnett's Corners Preservation Society Inc. Building - Update	Referral
2010-0084	High School Water Infiltration Issues	Referral
2012-0221	Acceptance of Grant for Phase Two of the Lily Lane Trail	Referral
2012-0222	Relinquishment of Drainage Easement Associated with Obrey Resubdivision, Route 184	Referral
2012-0223	Application for State Financial Assistance for Purchase of Fusconi Property	Referral
2012-0226	Mystic Streetscape Project Phase II Construction Agreement	Referral
2012-0234	Appointment of Daniel Campbell to Permanent School Building Committee	Referral

VII. COMMUNICATION REPORTS (Other than Committee Reports)

- a. Town Councilors**
- b. Clerk of the Representative Town Meeting**
- c. Clerk of the Council**
- d. Town Manager**
- e. Town Attorney**

VIII. COMMITTEE REPORTS

- a. Community & Cultural Development - Chairman Schmidt**
- b. Economic Development - Chairman Johnson**
- c. Education/Health & Social Services - Chairman Watson**
- d. Environment/Energy - Chairman Peruzzotti**
- e. Finance - Chairman O'Beirne**
- f. Personnel/Appointments/Rules - Chairman Flax**
- g. Public Safety - Chairman Streeter**
- h. Public Works/Recreation - Chairman Antipas**
- i. Committee of the Whole - Mayor Somers**

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

2010-0084	High School Water Infiltration Issues	Referral
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RESOLUTION AUTHORIZING NEGOTIATION OF SETTLEMENT REGARDING FITCH HIGH SCHOOL WATER INFILTRATION ISSUES

WHEREAS, on July 24, 2012, the Town Council Committee of the Whole, during its Regular Meeting, met in executive session with the Town Manager and Town Attorney to discuss Fitch High

School Water Infiltration issues, now therefore be it

RESOLVED, that:

1. The Town Attorney and Town Manager are hereby authorized to negotiate a settlement agreement pertaining to said Fitch High School Water Infiltration issues with Cherry Hill Glass Co., Inc., the glass, glazing and metal panels contractor, based on parameters discussed during said Executive Session; and
2. If such a settlement is negotiated, Town Manager Mark R. Oefinger is hereby authorized to accept and execute the settlement agreement on behalf of the Town of Groton once approved by the Town Attorney, and to perform all acts ancillary thereto.

Legislative History

4/8/2010	Mayor	Referred	Town Council Committee of th
4/13/2010	Town Council Committee of the Whole	Discussed	

Director of Public Works Gary Schneider stated there is one issue remaining at the high school. The Town has been dealing with leaking windows and thought that only one window remained to be repaired. However, during the last storm, an additional 20 to 30 units developed leaks. The high school is the only school where there are problems. Mr. Schneider reviewed the efforts to date to identify and correct the problems, but it is still unknown what is affecting the window system. Mr. Schneider is recommending a third party review of the problem.

6/8/2010	Town Council Committee of the Whole	Motion
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that the members of the Committee of the Whole, along with Town manager Mark oefinger, Director of Public Works Gary Schneider, and Attorney Eric Callahan go into executive session at 7:04 p.m. pursuant to Connecticut General Statutes Section 1-200(6)(B) for the purpose of discussing strategy and negotiations with respect to pending litigation concerning (1) water infiltration issues at the high school and (2) damage to the Water Pollution Control Facility as a result of screen failures

10/12/2010	Town Council Committee of the Whole	Motion
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that members of the Committee of the Whole, along with Town Manager Mark Oefinger, Director of Public Works Gary Schneider and Attorney Eric Callahan, go into executive session at 6:34 p.m. pursuant to Connecticut General Statutes Section 1-200(6)(B) for the purpose of discussing strategy and negotiations with respect to pending litigation concerning water infiltration issues at the high school

10/12/2010	Town Council Committee of the Whole	Discussed
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Councilor Watson arrived at 6:43 p.m. and joined the executive session.

The executive session concluded at 6:55 p.m.

12/14/2010	Town Council Committee of the Whole	Motion
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that the members of the Committee of the Whole, along with Town Manager Mark Oefinger, Director of Public Works Gary Schneider and Attorney Eric Callahan go into executive session at 7:09 p.m. pursuant to Connecticut General Statutes section 1-200(6)(B) for the purpose of discussing strategy and negotiations with respect to pending litigation concerning water infiltration issues at Fitch High School

12/14/2010	Town Council Committee of the Whole	Discussed
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The executive session concluded at 7:35 p.m.

5/24/2011	Town Council Committee of the Whole	Motion
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that the members of the Committee of the Whole, along with the Town Manager, Director of Public Works, and the Town Attorney go into executive session at 7:12 p.m. pursuant to Connecticut General Statutes section 1-200(6)(B) for the purpose of discussing strategy and negotiations with respect to pending litigation concerning water infiltration issues at Fitch High School

2012-0222 Relinquishment of Drainage Easement Associated with Obrey Resubdivision, Route 184 Referral

RESOLUTION RELINQUISHING A DRAINAGE EASEMENT IN THE SUNSET RIDGE RESUBDIVISION (FORMERLY OBREY RESUBDIVISION)

WHEREAS, the Obrey Resubdivision was approved by the Planning Commission on December 13, 2005, and

WHEREAS, the Obrey Resubdivision was subdivided on plan only and included a Town of Groton road that was not constructed or deeded to the Town of Groton and a 0.29 acre drainage easement that was deeded to the Town of Groton, and

WHEREAS, on March 27, 2012 the Planning Commission approved the Sunset Ridge Resubdivision (formerly Obrey Resubdivision), and

WHEREAS, the Sunset Ridge Resubdivision eliminated the Town of Groton road and the need for the Town of Groton drainage easement and noted the need to relinquish the drainage easement to the current property owners, now therefore be it

RESOLVED, that the Town Council hereby relinquishes the drainage easement to the current property owner of the Sunset Ridge Resubdivision, and be it further

RESOLVED, that Mark R. Oefinger, Town Manager, is authorized to sign a Quit Claim Deed relinquishing all Town of Groton rights and interests in the drainage easement.

Legislative History

7/12/2012 Mayor Referred Town Council Committee of th

7/24/2012 Town Council Committee of Discussed
the Whole

The Town Manager explained that the Town accepted a drainage easement for a proposed development that included a Town road. The property has been resubdivided and the Town road, and need for the drainage easement, eliminated. The easement was recorded in Land Records so it must be relinquished.

7/24/2012 Town Council Committee of Recommended for a
the Whole Resolution

2012-0223 Application for State Financial Assistance for Purchase of Fusconi Property Referral

RESOLUTION AUTHORIZING THE TOWN MANAGER TO FILE AN APPLICATION FOR STATE FINANCIAL ASSISTANCE FOR THE "SUBASE LAND PURCHASE - GROTON" (FUSCONI, CRYSTAL LAKE ROAD)

WHEREAS, pursuant to Connecticut General Statutes Sec. 32-220 (Economic Development and Manufacturing Assistance Act of 1990), the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and

WHEREAS, it is desirable and in the public interest that the Town of Groton make an application to the State for \$455,000 in order to undertake the "SUBASE Land Purchase - Groton" and to execute an Assistance Agreement; now therefore be it

RESOLVED, by the Town of Groton Town Council

That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by Connecticut General Statutes Sec. 32-220 (Economic Development and Manufacturing Assistance Act of 1990);

That the filing of an application for State financial assistance by the Town of Groton in an amount not

to exceed \$455,000 is hereby approved and that Town Manager Mark R. Oefinger is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Groton;

That it adopts or has adopted as its policy to support the following nondiscrimination agreements and warranties provided in subsection (a)(1) of Connecticut General Statutes sections 4a-60 and 4a-60a, respectively, as amended by Public Acts 07-142 and 07-245, and for which purposes the "contractor" is the Town of Groton and "contract" is said Assistance Agreement:

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut. The contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved.

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation.

Legislative History

7/12/2012 Mayor Referred Town Council Committee of th

7/24/2012 Town Council Committee of Discussed
the Whole

Town Manager Oefinger noted that the Town Council and RTM have approved acquisition of the Fusconi property. A \$455,000 grant is available from the state and Town Manager Oefinger stated he is seeking authorization to submit the grant.

7/24/2012 Town Council Committee of Recommended for a
the Whole Resolution

**2012-0226 Mystic Streetscape Project Phase II Construction Referral
Agreement**

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF GROTON FOR THE CONSTRUCTION, INSPECTION, AND MAINTENANCE OF THE MYSTIC STREETSCAPE - PHASE II UTILIZING FEDERAL FUNDS UNDER THE HIGH PRIORITY PROJECTS PROGRAM AND THE URBAN COMPONENT OF THE SURFACE TRANSPORTATION PROGRAM

WHEREAS, the Town of Groton has requested that construction activities be undertaken in conjunction with the Mystic Streetscape project and will utilize federal funds from the High Priority Projects program and the Urban Component of the Surface Transportation Program, and

WHEREAS, said improvements include, but are not limited to the construction of new concrete sidewalks, installation of granite curbing, granite stone pavers, landscaping, street furniture, and ornamental lighting, along Water Street (CT Route 215) extending southerly to Noank Road in the Mystic section of Groton, and

WHEREAS, these construction activities are identified herein as State Project No. 58-326 and Federal-aid Project No. H018(013), respectively, now therefore be it

RESOLVED, that Mark R. Oefinger, Town Manager, be, and hereby is, authorized to sign an agreement entitled "Agreement between the State of Connecticut and the Town of Groton for the Construction, Inspection and Maintenance of Mystic Streetscape - Phase II Utilizing Funds under the High Priority Projects Program and the Urban Component of the Surface Transportation Program".

Legislative History

7/18/2012	Mayor	Referred	Town Council Committee of th
7/24/2012	Town Council Committee of the Whole	Discussed	

Mike Murphy, Susan Cullen, and Rick Norris of OPDS were present to address the Council. The Town Manager explained that this project extends along Water Street from the entrance to the Mystic Arts Center parking lot to Noank Road. It is essentially a sidewalk and curbing project that adds some parking.

Mr. Murphy explained that this request involves a construction agreement for \$1.3 million in funding for the project. He described the location and nature of the work. New sidewalks will be constructed along Water Street except in the area of the Oyster House where they were recently constructed. Parking in the vicinity of the public rest rooms will remain. Near Margarita's, a depressed curb will provide access to the dumpsters and serve as a loading area. An infill sidewalk connection will be made at New London Road. Five new off street parking spaces will be constructed and excess pavement will be removed in the area of Randall's Wharf.

The Town's funding match is 20%, which will come from LoCIP funds. Mr. Murphy stated that staff has met with the affected property owners and notified residents in the area of the projects and all comments have been favorable. The project will be bid as early as fall with construction starting in early 2013 and taking a couple of months.

Councilor Schmidt asked about the loss of parking. Mr. Murphy noted there are illegal parking spaces being lost, but five are being added. The road will be repaved and granite curbing installed except in the area of the Oyster House where the concrete curbing will remain.

Mr. Murphy expects to start the project at the end of February and it will take three months. Councilor Flax asked about the possibility for "surprises." Mr. Norris noted that the project is much less onerous than Phase I and will not be done in phases. The work will not impact the existing retaining walls. Mr. Norris addressed timing issues with Phase I. Mayor Somers asked if the project could be delayed to fall if an early spring start is not possible noting that the Council will not support work during the summer. Mr. Norris stated that he does not expect a delay in the state's review. The money must be obligated in this fiscal year.

Town Manager noted that the Council can identify a time period where no work will take place if it desires, subject to the time frame to spend the money. Restricting work times needs to be discussed with the contractors when they are chosen so that the Council can be made aware of any unintended consequences.

Mayor Somers asked if the hydrant in the vicinity of Randall's Wharf can be moved so that it does not eliminate two parking spaces and Mr. Murphy noted it can be looked at later. The new sidewalks will not be as wide as the sidewalks recently constructed so there will be no room for benches other than in front of the public rest rooms.

Councilor Streeter suggested no construction take place from the end of May through the end of September.

Mr. Norris stated that the work will not impact West Main Street activities. He added that there were no issues associated with the previous work done on Water Street. Mayor Somers asked if the contractor could meet with the Town Council to have a dialog about the project.

7/24/2012	Town Council Committee of the Whole	Recommended for a Resolution
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Councilor Antipas feels the time restrictions can be worked into the contract. He then asked why the Town should do the project. Mr. Murphy noted this is part of an overall cooperative project with Stonington. The sidewalks are in bad shape and the road bed needs to be repaved. This project will add sidewalks in some areas and ramps will be improved to standards. Mr. Murphy noted that this project has been identified for many years as worthwhile

**2012-0234 Appointment of Daniel Campbell to Permanent School
Building Committee**

Referral

RESOLUTION APPOINTING DANIEL CAMPBELL TO THE PERMANENT SCHOOL
BUILDING COMMITTEE

RESOLVED, that Daniel J. Campbell, 269 Judson Avenue, Mystic, is hereby appointed to the
Permanent School Building Committee for a term ending 9/29/12.

Legislative History

7/10/2012	Town Council	Recommended for a
	Personnel/Appointments/Rules Resolution	
	/Legislation Committee	

XI. OTHER BUSINESS

XII. ADJOURNMENT

Town of Groton
Notice of Public Hearing

Notice is hereby given that the Town Council will hold a public hearing on Tuesday, August 7, 2012 at 7:30 p.m. at the Town Hall Annex, Community Room 1, 134 Groton Long Point Road, Groton, Connecticut, pursuant to the following resolution adopted at its meeting held on July 17, 2012:

RESOLUTION SETTING PUBLIC HEARING TO CONSIDER RESURFACING OF SANDY
HOLLOW ROAD, A DESIGNATED SCENIC ROAD

WHEREAS, on January 19, 1999, by resolution, the Town Council designated Sandy Hollow Road as a Scenic Road according to Town ordinances, Sec. 13.5-121 to 13.5-124, and
WHEREAS, the Groton Department of Public Works has recommended resurfacing of Sandy Hollow Road, now therefore be it
RESOLVED, that the Town Council will hold a public hearing on the resurfacing of Sandy Hollow Road on Tuesday, August 7, 2012, at 7:30 p.m. at Town Hall Annex Community Room 1.

Dated at Groton, Connecticut this 23rd day of July 2012.

Betsy Moukawsher
Town Clerk



Town of Groton, Connecticut

Meeting Minutes - Draft

Town Council

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk 860-441-6640
Town Manager
860-441-6630

Mayor Heather Bond Somers, Councilors Dean G. Antipas, Bruce S. Flax, Bill Johnson, Frank O'Beirne, Jr., Deborah L. Peruzzotti, Rita M. Schmidt, James L. Streeter, and Harry A. Watson

Tuesday, July 10, 2012

7:30 PM

Town Hall Annex - Community Room 1

SPECIAL MEETING

I. ROLL CALL

The meeting was called to order at 7:32 p.m. by Mayor Somers.

Members Present: Mayor Somers, Councilor Flax, Councilor Johnson, Councilor O'Beirne, Jr., Councilor Schmidt, Councilor Streeter and Councilor Watson

Members Absent: Councilor Antipas and Councilor Peruzzotti

Also present were Town Manager Mark Oefinger, Director of Public Works Gary Schneider, Town Clerk Betsy Moukawsher and Office Assistant Lori Watrous.

II. PUBLIC HEARING:

2012-0211

Public Hearing on an Ordinance for Road Maintenance and Rehabilitation

PUBLIC HEARING ON AN ORDINANCE APPROPRIATING \$11,200,000 FOR THE CALENDAR YEARS 2013 THROUGH 2017 ROAD MAINTENANCE AND REHABILITATION PROGRAM AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. That the sum of ELEVEN MILLION TWO HUNDRED THOUSAND DOLLARS (\$11,200,000) is appropriated for costs related to maintenance and rehabilitation of the Town's accepted network of roads anticipated to be accomplished during calendar years ending December 31, 2013 through December 31, 2017, and costs related to the financing thereof. The estimated costs of the project are: (a) \$3,542,011 for maintenance and rehabilitation of roads located within the boundaries of the City of Groton, (b) \$986,703 for maintenance and rehabilitation of roads located within the boundaries of the Groton Long Point Association, (c) \$6,364,800 maintenance and rehabilitation of roads within the Town and outside of boundaries of the City of Groton and Groton Long Point Association, and (d) \$306,486 for financing costs. The project is contemplated to include the roads described in the document entitled "Town of Groton, CT, Calendar Years 2013 through 2017 Road Maintenance and Rehabilitation Program," as presented to the Town Council on June 26, 2012, a copy of which has been placed on file in the office of the Town Clerk, and improvements to such other roads as may be determined from time-to-time by the Town Council following consultation as applicable with the Mayor of the City of Groton and the President of the Groton Long Point Association. The road maintenance and rehabilitation is contemplated to include a combination of milling, crack sealing, overlay and/or full depth reclamation, replacement of deteriorated curbing, resetting or installation of new catch basin tops, traffic markings including line striping, stop bars and arrows, installation of signal loops for traffic signals, loaming and seeding of the disturbed areas, and related work and improvements. The appropriation may be spent for design, acquisition, installation and construction costs, equipment, materials, construction management, site improvements, environmental remediation including disposal of waste materials, easement acquisition, engineering fees, design and bidding services, testing and inspection costs, traffic control, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. Following consultation as applicable with the Mayor of the City of Groton and the President of the Groton Long Point Association, the Town Council shall determine the scope and particulars of the project and may reduce or modify the scope of the

project, and the entire appropriation may be expended on the project as so modified or reduced.
Section 2. That the Town issue bonds or notes, in an amount not to exceed ELEVEN MILLION TWO HUNDRED THOUSAND DOLLARS (\$11,200,000) to finance the appropriation for the project.

Section 3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed ELEVEN MILLION TWO HUNDRED THOUSAND DOLLARS (\$11,200,000).

Section 4. That the Town Council shall determine the amount of bonds or notes authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that (except to the extent reimbursed from grant moneys) project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings, including qualified tax credit bonds, in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this ordinance if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

Section 7. That the Town Manager, the Director of Finance, and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

Section 8. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes to finance said appropriation have been approved by the voters at referendum in accordance with Sections 5.5.5.1 and 9.13 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

Heard at Public Hearing

Mayor Somers called a recess for the Public Hearing at 7:34 p.m.

The Notice of Public Hearing pursuant to a resolution passed by the Town Council was read by Town Clerk Betsy Moukawsher.

The ordinance was prepared by the Bonding Attorney and reviewed by the Town Attorney, who found some minor typographical errors which have been corrected.

Director of Public Works Gary Schneider provided background information for this ordinance. He

stated that the Town is responsible for maintenance and rehabilitation of roads in the Town, the City, and Groton Long Point. When estimating the costs associated with the ordinance, the costs for asphalt, incidentals, curbing and line striping, as well as the different approaches each entity takes in its paving program, were all taken into account. An impact statement was prepared by the Director of Finance with the potential effect on the mill rate. The current amount of outstanding bonds is \$42 million; pending bonds amount to \$6.3 million. If passed, the bonds for this ordinance will amount to \$11.2 million, resulting in a total of approximately \$59.9 million.

Scott Aument, 127 Rogers Road, a member of the RTM, stated that revenues have gone down significantly, the tax base is diminishing, and businesses are leaving the area. He agrees that roads need to be repaired, but does not agree with the extra costs associated with bonding. Mr. Aument stated that it is the duty of the RTM to determine spending priorities each year, and that ability should not be taken away. He questioned where left over money would go and what would happen if there were cost over-runs. He inquired as to the effect of the ordinance on the mill rate and the Town's outstanding debt. He also asked what method the Council would use to track the progress of the program.

The Town Manager read a letter from Marion Galbraith. As a private citizen unable to attend, Ms. Galbraith stated that she is in support of this bonding ordinance. She noted that it is fiscally responsible and an investment in the infrastructure of the Town.

Favorable recommendations under CGS 8-24 were received from both the Town and City Planning Commissions.

The Town Manager stated that the whole sum will not be bonded at one time. If the projects come in under budget, either more roads can be paved or the project will be ended without spending the full amount. He noted that the City and Groton Long Point will send projects out to bid; therefore, costs will be known up front. If bid estimates are over the amounts approved by the ordinance, fewer roads will be done in those areas.

Councilor Flax noted that \$306,486 represents the cost of bonding. The interest on the bonding project will be \$2.1 million.

There being no further comments, Mayor Somers closed the Public Hearing at 7:55 p.m.

A recess was declared at 7:55 p.m. for the Council to meet as Committee of the Whole. The Town Council meeting resumed at 8:10 p.m.

III. NEW BUSINESS

2012-0213 Adoption of Ordinance for Road Maintenance and Rehabilitation

ADOPTION OF AN ORDINANCE APPROPRIATING \$11,200,000 FOR THE CALENDAR YEARS 2013 THROUGH 2017 ROAD MAINTENANCE AND REHABILITATION PROGRAM AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. That the sum of ELEVEN MILLION TWO HUNDRED THOUSAND DOLLARS (\$11,200,000) is appropriated for costs related to maintenance and rehabilitation of the Town's accepted network of roads anticipated to be accomplished during calendar years ending December 31, 2013 through December 31, 2017, and costs related to the financing thereof. The estimated costs of the project are: (a) \$3,542,011 for maintenance and rehabilitation of roads located within the boundaries of the City of Groton, (b) \$986,703 for maintenance and rehabilitation of roads located within the boundaries of the Groton Long Point Association, (c) \$6,364,800 for maintenance and rehabilitation of roads within the Town and outside of boundaries of the City of Groton and Groton Long Point Association, and (d) \$306,486 for financing costs. The project is

contemplated to include the roads described in the document entitled "Town of Groton, CT, Calendar Years 2013 through 2017 Road Maintenance and Rehabilitation Program," as presented to the Town Council on June 26, 2012, a copy of which has been placed on file in the office of the Town Clerk, and improvements to such other roads as may be determined from time-to-time by the Town Council following consultation as applicable with the Mayor of the City of Groton and the President of the Groton Long Point Association. The road maintenance and rehabilitation is contemplated to include a combination of milling, crack sealing, overlay and/or full depth reclamation, replacement of deteriorated curbing, resetting or installation of new catch basin tops, traffic markings including line striping, stop bars and arrows, installation of signal loops for traffic signals, loaming and seeding of the disturbed areas, and related work and improvements. The appropriation may be spent for design, acquisition, installation and construction costs, equipment, materials, construction management, site improvements, environmental remediation including disposal of waste materials, easement acquisition, engineering fees, design and bidding services, testing and inspection costs, traffic control, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. Following consultation as applicable with the Mayor of the City of Groton and the President of the Groton Long Point Association, the Town Council shall determine the scope and particulars of the project and may reduce or modify the scope of the project, and the entire appropriation may be expended on the project as so modified or reduced.

Section 2. That the Town issue bonds or notes, in an amount not to exceed ELEVEN MILLION TWO HUNDRED THOUSAND DOLLARS (\$11,200,000) to finance the appropriation for the project.

Section 3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed ELEVEN MILLION TWO HUNDRED THOUSAND DOLLARS (\$11,200,000).

Section 4. That the Town Council shall determine the amount of bonds or notes authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that (except to the extent reimbursed from grant moneys) project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings, including qualified tax credit bonds, in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this ordinance if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

Section 7. That the Town Manager, the Director of Finance, and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

Section 8. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes to finance said appropriation have been approved by the voters at referendum in accordance with Sections 5.5.5.1 and 9.13 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

Refer to RTM.

A motion was made by Councilor Streeter, seconded by Councilor Schmidt, that this matter be Adopted and Referred to the Representative Town Meeting, due back on August 8, 2012.

The motion carried by the following vote:

Votes: In Favor: 6 - Mayor Somers, Councilor Johnson, Councilor O'Beirne, Jr., Councilor Schmidt, Councilor Streeter and Councilor Watson
Opposed: 1 - Councilor Flax

2012-0215 Resolution Authorizing Use of a Description of the Ordinance for Road Maintenance and Rehabilitation

RESOLUTION AUTHORIZING USE OF A DESCRIPTION OF THE ORDINANCE FOR ROAD MAINTENANCE AND REHABILITATION IN LIEU OF THE COMPLETE TEXT IN NOTICE OF ADOPTION

WHEREAS, the Town Council has adopted an "Ordinance Appropriating \$11,200,000 for the Calendar Years 2013 through 2017 Road Maintenance and Rehabilitation Program and Authorizing the Issue of Bonds and Notes in the Same Amount to Finance Said Appropriation," and

WHEREAS, Section 5.5.6 of the Town Charter provides for notice of the adoption of an ordinance to be published in the newspaper, and

WHEREAS, in accordance with Section 5.5.6.2 of the Town Charter, at the direction of the Town Council, a description of the ordinance prepared by the Town Attorney may be substituted for the complete text of the ordinance in the notice of adoption publication, now therefore be it

RESOLVED, that the Town Council authorizes the use of a description of the "Ordinance Appropriating \$11,200,000 for the Calendar Years 2013 through 2017 Road Maintenance and Rehabilitation Program and Authorizing the Issue of Bonds and Notes in the Same Amount to Finance Said Appropriation," in lieu of the complete text in the notice of adoption of the ordinance.

A motion was made by Councilor O'Beirne, Jr., seconded by Councilor Watson, that this matter be Adopted.

The motion carried unanimously

IV. ADJOURNMENT

A motion to adjourn at 8:12 p.m. was made by Councilor Watson, seconded by Councilor Flax and so voted unanimously.

Attest:

*Betsy Moukawsher, Town Clerk
Clerk of the Council
Lori Watrous, Office Assistant*



Town of Groton, Connecticut

Meeting Minutes - Draft

Town Council

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk 860-441-6640
Town Manager
860-441-6630

Mayor Heather Bond Somers, Councilors Dean G. Antipas, Bruce S. Flax, Bill Johnson, Frank O'Beirne, Jr., Deborah L. Peruzzotti, Rita M. Schmidt, James L. Streeter, and Harry A. Watson

Tuesday, July 17, 2012

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

The meeting was called to order at 7:37 p.m. by Mayor Somers.

Members Present: Mayor Somers, Councilor Flax, Councilor Johnson, Councilor O'Beirne, Jr., Councilor Peruzzotti, Councilor Schmidt and Councilor Watson

Members Absent: Councilor Antipas and Councilor Streeter

Also present were Town Manager Mark Oefinger, Town Clerk Betsy Moukawsher and Office Assistant Lori Watrous.

II. SALUTE TO THE FLAG

The Salute to the Flag was led by the Center Groton Fire Department.

III. RECOGNITION, AWARDS & MEMORIALS

2012-0203 Proclamation Honoring Richard and Dorothy Wilson

Read

The proclamation was read by Mayor Somers.

Groton 4th of July Parade Awards

Manager of Recreation Services Jerry Lokken thanked all of those who participated in this year's 4th of July parade. Ron McGory and Christene Gunther presented awards to parade winners as follows: Best Costume to Chelsea Groton Bank, Best Use of Theme to Westbrook Junior Colonials Fife and Drum Corps, Best Music to Yalesville Fife and Drum Corps, Youth Participation to Highland Farms Vocational Agricultural Center, Best Float to Wayne's Barber Shop, Most Patriotic to the Second Continental Light Dragoons, and Judges' Choice to the Center Groton Fire Department.

IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

Jim Bates, 11 Conrad Street, Mystic, representing the Groton Business Association, stated that a brochure has been generated entitled Discover Groton which is comprised of a map of the greater Groton area along with information on historic sites, recreational opportunities, and local attractions. Mr. Bates noted that proceeds from the Groton Fall Festival were used to pay for the brochure, and the goal is to encourage people to use its website to find out more about Groton.

Kevin Trejo, 536 Shennecossett Road, stated that Groton has been awarded 20 more State-funded preschool seats, bringing the total amount of State-funded seats for Groton's early childhood centers to 33.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

None.

VI. CONSENT CALENDAR

a. Approval of Minutes

2012-0217 Approval of Minutes (Town Council)

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of June 26, 2012 are hereby accepted and approved.

This Matter was Adopted on the Consent Calendar.

b. Administrative Items**2012-0209 Special Trust Fund Contributions**

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Trillium Garden Club - \$400.00 - Library Miscellaneous

Ryan Connolly - \$117.00 - Library Miscellaneous

Mystic Garden Club - \$600.00 - Jabez Smith House

Knights of Rizal - \$50.00 - Library Miscellaneous

Charles Rogers - \$25.00 - Social Services Discretionary

Lee Vincent - \$50.00 - Social Services Discretionary

Mark Bassler - \$25.00 - Groton Utilities Energy Assistance Program

Robert and Phyllis Boggs - \$6.95 - Groton Utilities Energy Assistance Program

Audrey Burgess - \$3.00 - Groton Utilities Energy Assistance Program

Donna Lane - \$5.00 - Groton Utilities Energy Assistance Program

Demetrios Orphanides - \$50.00 - Groton Utilities Energy Assistance Program

Lionel and Fay Taylor - \$50.00 - Groton Utilities Energy Assistance Program

Anne Wimsey - \$20.00 - Groton Utilities Energy Assistance Program

City of Groton - \$261.63 - Groton Utilities Energy Assistance Program

This Matter was Adopted on the Consent Calendar.

c. Deletions from the Town Council Referral List**2012-0148 Tax Abatement/Deferral/Exemption Programs - Update**

This Matter was Deleted from Referral List - No further action on the Consent Calendar.

2012-0210 Historic Documents Preservation Grant (2013)

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2012-0216 Voting District Changes

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2012-0218 Setting Public Hearing on Sandy Hollow Road Resurfacing

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

Passed The Consent Calendar

A motion was made by Councilor Watson, seconded by Councilor Schmidt, to adopt the Consent Calendar, including all the preceding items marked as having been adopted on the Consent Calendar.

The motion carried unanimously

VII. COMMUNICATION REPORTS (Other than Committee Reports)**a. Town Councilors**

Councilors received a letter regarding the proposed blight ordinance and participated in the 4th of July parade.

Councilor O'Beirne stated that his hearing has deteriorated and despite the best technology, he cannot hear some of what is being said during meetings. He feels that he should not be voting without hearing the entire conversation, and for this reason, he has tendered his resignation. He thanked everyone for the support they have provided and stated that it has been a privilege to serve on the Council.

The Mayor and Councilors remarked that Councilor O'Beirne will be missed, and acknowledged his dedication to the community.

Councilor Watson cooked for sailors at the barbecue that was held at the Shennecossett Yacht Club for OpSail 2012.

Mayor Somers attended meetings with the Chairman of the Board of Education, a joint meeting of the Town Council and Board of Education, Mystic Streetscape meetings and a meeting with the Mystic Art Association, and attended the OpSail 2012 Captains Ball. She noted that business has picked up in downtown Mystic and the Mystic Art Association parking lot will be free for the first two hours until August 5, 2012.

Councilor Flax noted that the Mystic Little League has been doing well with some age groups continuing on to the semi-finals.

Councilor Johnson has attended Mystic Schooners baseball games and noted that they will play a double-header on July 27, 2012.

b. Clerk of the Representative Town Meeting

The next regular RTM meeting will be held on August 8, 2012.

c. Clerk of the Council

The Town Clerk announced that absentee ballots will be available July 24, 2012, for the Senate and Congressional Primaries that will be held on August 14, 2012.

d. Town Manager

The Town Manager noted that Jim Becker was the winner of the 30th Connecticut Senior Open held at Shennecossett Golf Course. He announced that Eric Morrison was the first recipient of the Morrison Award, named in his honor, which was given for exceptional service to the Connecticut Senior Open. Mr. Oefinger stated that a Hazardous Waste Collection Day is scheduled for July 21, 2012, at the Flanders Road Transfer Station.

e. Town Attorney

No report.

VIII. COMMITTEE REPORTS

a. Community & Cultural Development - Chairman Schmidt

No meeting, no report.

b. Economic Development - Chairman Johnson

No meeting, no report.

c. Education/Health & Social Services - Chairman Watson

No meeting, no report.

d. Environment/Energy - Chairman Peruzzotti

No meeting, no report.

e. Finance - Chairman O'Beirne

No meeting, no report.

f. Personnel/Appointments/Rules - Chairman Flax

Councilor Flax read the minutes of July 10, 2012, which are on file at the Town Clerk's office.

g. Public Safety - Chairman Streeter

No meeting, no report.

h. Public Works/Recreation - Chairman Antipas

No meeting, no report.

i. Committee of the Whole - Mayor Somers

Mayor Somers noted that the Committee of the Whole discussed voting districts and a public hearing date for Sandy Hollow Road.

IX. UNFINISHED BUSINESS

None.

X. NEW BUSINESS

2012-0210 Historic Documents Preservation Grant (2013)

RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AND DELIVER A CONTRACT FOR A HISTORIC DOCUMENTS PRESERVATION GRANT

WHEREAS, the Town of Groton will benefit by the continuance of the Historic Document Preservation Program which will be enabled and enhanced by grant funding, now therefore be it

RESOLVED, that Mark R. Oefinger, Town Manager of the Town of Groton, is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for an Historic Documents Preservation Grant.

A motion was made by Councilor O'Beirne, Jr., seconded by Councilor Schmidt, that this matter be Adopted.

The motion carried unanimously

2012-0216 Voting District Changes

RESOLUTION CHANGING VOTING DISTRICT LINES

WHEREAS, the State Reapportionment Commission has redrawn the boundaries of Assembly Districts 40 and 41 based on the census of 2010, and Connecticut General Statutes Sec. 9-169b requires that the municipal legislative body approve new voting district lines, and

WHEREAS, Connecticut General Statutes Sec. 9-169 does not allow voting district lines to conflict with the lines of congressional districts, senate districts or assembly districts, and

WHEREAS, the Town's Registrars of Voters find it necessary to redraw the lines of the portions of Districts 1, 4 and 5 that are in conflict with the new assembly district lines, now therefore be it

RESOLVED, that the lines of the Town of Groton Voting Districts that conflict with the new assembly district lines be redrawn in conformity with the assembly districts as redrawn by the State Reapportionment Commission. (See attached map.)

A motion was made by Councilor Watson, seconded by Councilor O'Beirne, Jr., that this matter be Adopted.

The motion carried unanimously

2012-0218 Setting Public Hearing on Sandy Hollow Road Resurfacing

RESOLUTION SETTING PUBLIC HEARING TO CONSIDER RESURFACING OF SANDY HOLLOW ROAD, A DESIGNATED SCENIC ROAD

WHEREAS, on January 19, 1999, by resolution, the Town Council designated Sandy Hollow Road as a Scenic Road according to Town ordinances, Sec. 13.5-121 to 13.5-124, and

WHEREAS, the Groton Department of Public Works has recommended resurfacing of Sandy Hollow Road, now therefore be it

RESOLVED, that the Town Council will hold a public hearing on the resurfacing of Sandy Hollow

Road on Tuesday, August 7, 2012, at 7:30 p.m. at Town Hall Annex Community Room 1.

A motion was made by Councilor O'Beirne, Jr., seconded by Councilor Watson, that this matter be Adopted.

The motion carried unanimously

2012-0219 Appointment of William Everett as a Regular Member of the Historic District Commission

RESOLUTION APPOINTING WILLIAM EVERETT AS A REGULAR MEMBER OF THE HISTORIC DISTRICT COMMISSION

RESOLVED, that William C. Everett, 1 Prospect Street, Mystic, is hereby appointed as a regular member (from an alternate member) to the Historic District Commission for a term ending 12/31/12.

Re-referred

This item was re-referred to the Town Council Personnel/Appointments/Rules Committee for further discussion.

XI. OTHER BUSINESS

None.

XII. ADJOURNMENT

A motion to adjourn at 8:16 p.m. was made by Councilor Watson, seconded by Councilor Flax and so voted unanimously.

Attest:

*Betsy Moukawsher, Town Clerk
Clerk of the Council*

Lori Watrous, Office Assistant